

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT TACOMA

7 Seth John Wilcox,

8 Petitioner,

9 v.

10 Jeffrey A Uttecht,

11 Respondent.  
12

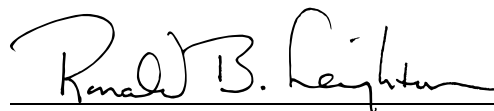
No. 3:19-cv-05297-RBL-JRC

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

13 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.  
14 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining  
15 record, does hereby find and ORDER:

- 16 (1) The Court adopts the Report and Recommendation.  
17  
18 (2) Petitioner's federal habeas Petition is dismissed without prejudice.  
19  
20 (3) A certificate of appealability is denied in this case.  
21  
22 (4) Petitioner's remaining pending motion (Dkt. 9) is denied as as moot without  
prejudice.  
23  
24 (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for  
Respondent, and to the Hon. J. Richard Creatura

25 **DATED** this 30<sup>th</sup> day of August, 2019.  
26



Ronald B. Leighton  
United States District Judge